



PATENT
514413-3865

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Frohberg et al.
Serial No. : 09/744,926
For : NUCLEIC ACID MOLECULES ENCODING AN
ALPHA-GLUCOSIDASE, PLANTS WHICH
SYNTHESIZE A MODIFIED STARCH, THE
GENERATION OF THE PLANTS, THEIR USE,
AND THE MODIFIED STARCH
Filed : January 30, 2001
Examiner : R. Kallis
Art Unit : 1638

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745 Fifth Avenue, New York, NY 10151

I hereby certify that this correspondence is being deposited with
the United States Postal Service as first class mail in an envelope
addressed to: Assistant Commissioner for Patents, Washington,
DC 20231, on the date shown below.

Marilyn Matthes Brogan, Reg. No. 31,223

Name of Applicant, Assignee or Registered Representative

Marilyn Matthes Brogan
Signature

April 2, 2003
Date of Signature

**AMENDMENT AND RESPONSE TO OFFICE ACTION
WITH REQUEST FOR EXTENSION OF TIME**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated October 3, 2002, having a three month term
for reply.

REQUEST FOR EXTENSION OF TIME


Pursuant to 37 C.F.R. §§ 1.136(a) and 1.17(a), a three month extension of the term for
reply, i.e., to up to and including April 3, 2003, is requested. A check for \$930.00 is enclosed in
payment of the fee therefor. The Commissioner is hereby authorized to charge any additionally
required fee for the extension, or any other fee occasioned by this paper, or credit any
overpayment in such fees, to Deposit Account No. 50-0320.


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AMENDMENT


Please amend the claims without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:

In the Claims:

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26. (Amended) A nucleic acid molecule encoding a protein with the function of a potato α -glucosidase, selected from the group consisting of
- a) nucleic acid molecules which encode a protein which encompasses the amino acid sequence stated under SEQ ID NO: 2,
 - b) nucleic acid molecules which encompass the nucleotide sequence shown under SEQ ID NO: 1;
 - c) nucleic acid molecules which have over 70% homology to the nucleotide sequence shown under SEQ ID NO:1, and
 - d) nucleic acid molecules whose nucleotide sequence deviates from the sequence of the nucleic acid molecules stated under a) or b) owing to the degeneracy of the genetic code.

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31. (Amended) A nucleic acid molecule which specifically hybridizes with a nucleic acid molecule as claimed in claim 26, under highly stringent conditions, wherein the hybridization temperature is 68°C and the wash temperature is 68°C.

Please add the following claim:

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42. (New) The nucleic acid molecule of claim 26, wherein the nucleic acid molecule has over 85% homology to the nucleotide sequence shown under SEQ ID NO:1.